P.F. 11 of 95

G. R. S. IX-5]

Previous references.

1890-'91

~~192~~ .

(L. R.)

File No. 83 of 90

Serial Nos. 1 — 11

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 11

M ~~Part~~ B for August 1895

SUBJECT.

Appeal of Ire Gowda regarding the Patelli of Kallahalli, Chikmagalur

---

WD 2233—GPB—20,000—14-6-26

Indexed

Petition No 2488 of 1892-93.

Petitioner - Eré Gowda
of Kalhalli
Chikmagalur Taluk.

Petitioner was the Lakhdar Patel of Kalhalli & held the office from 1874 under a Sannad granted by the Deputy Commissioner. At the Survey Settlement which took place sometime before 1884, Kalhalli was made a Dakhle village of Malalur, whereupon the Patel of Malalur was recognised as the Patel of the Dakhle village also and he was directed to do the duties thereof and receive the entire Potaji. The Petitioner made a representation to the Dy Comr in July 1884 but was told that under the Rules the Patel of the Asli village alone should discharge the duties & receive the Potaji. During the Dewan's Tour in 1890, the Petitioner and others who like him had been removed from the Patelii of Dakhle villages at the Survey Settlement, made a representation to the Dewan. According to the Petitioner the Dewan was pleased

to observe that there was no reason why they should not have their hak, and that their Petitions[x] would be sent to the Dy Commr for disposal; but according to Colonel Campbell (who was then Dy Comr vide his letter No 467 of 25. 2-91) the Dewan promised to give due consideration to the matter. The Petr & others then submitted Petitions to the Dy Commr whereupon Col: Campbell made the above reference of 1891 soliciting the instructions of Govt. No orders appear to have been issued on that reference. The Petr submitted other Petitions to the Dy Commr but was told to wait for the orders of Government. He has appealed to Government praying for his restoration. He refers to instances in which the village Officers of Dakhle villages continue to hold their offic:

One instance was recently before Govt (vijt a dispute between the Patel of Nallur & the Patel of its Dakhle villages as to who should collect Kandagam). Order therein is submitted for reference.

At the last Dasara Assembly it was stated that rules on the subject were under consideration.

[x] These are not forthcoming.

[x] Copy recd with the Dy Comr letter No 623 of 25 May 1893.

Genl orders have been found since, No 10267-75 / R 1055 of 3-1-94

3 (6)

It is a question for consideration whether orders might be passed on the Petitioner's appeal before Government, on its merits, or whether the case should lie over till the rules are passed.

Submitted to the Chief Secretary

A general order on this subject just rec^d from the Dewan's Camp has been ordered to be printed. Put up a printed copy of it & submit the file to Councillors

3/1

Submitted with a printed copy of the order -

Dy Comrs

Read the letter & say - "The Dy Comr^r is requested to dispose of the case with reference to Govt Proc dy 3d Jany 1894 No 1055."

Leg
25/1 94

26/1

Draft Proc

Read 27/1

10

4

Before the Government of *His Highness* the Maharaja of Mysore.

Appeal No. 156 of 94-95

Appellant.	Vs.	Respondent.
Ire Gouda by Mr Gangadharaya		Dyave Gouda.

Notices served 25. 6. 95.

Decision.

The order passed by the Deputy Commr in this case is correct.

Printed in extenso.

Govt Order No 10267-75 & 1055 of Bangre 3rd Jany 1894 introduced a change in the established state of things and para 4 of the said order expressly directed that effect should be given to it in future and in pending cases. The Petr who was the Patel of a Muzra village till 1884 lost it about that time in consequence of that hamlet having been added on to another village in accordance with the rules then in force. In 1890 or 91 he agitated the matter and at the time when the order of

5

94 was passed there was no case pending. No retrospective effect could be given to the order of 94 as such a course is expressly inter-dicted by its terms and the Petitioner wants to give the order such an effect. His prayer is therefore clearly in-admissible and is rejected. The Peti's case ~~[illegible]~~ should be taken into consideration when the Patch of the Malabar village falls vacant and a fresh appointment will have to be made.

Wiliers Lewis

6.7.95

Abdul Rahman

To Abdul Rahman Sahib Gre
K.B.
5.7.95

Sub^d 6th 3^d Councillor
[illegible]

[illegible] 9/7.

L.R
83-(N) 6 No. 467

Two Rupees Stamp affixed

OFFICE OF THE
8 - JUN. 91
DEVAKOTTAI

83

To the Deputy Commissioner for report on the circumstances of the Petr case -
[illegible] 12/5

L.R. 83-90-2

(General Serial No. 32.) (1) (11) (3)

1893.

No. 2488

Name of Petitioner. Eera Gowda Patail.

Village. Kallahalli

Taluk. Chickamagalur

District. Kadur

Date of Arzi. 21-3-93

Date of Receipt. 24-3-93

Date of Disposal.

No. of Enclosures. 4.

ABSTRACT.

With reference to the endorsement no: 467 of 13th August 1891, granted on his petition about his Patailship, ~~stat~~ ~~the~~ asking him to furnish the no: of the report by the Deputy Commissioner states that the report no: is letter no: 467 dated 25th February 1891 & prays that he may be reappointed as the Patail of Kallahali.

KHR 13/4

[illegible]

[illegible] 25-2-91 [illegible]

JLB 21/4

Mysore Govt. Central Press Bangalore—7-9-92,—4000.

From S.R.R. 13/4

Tel
1471

(2) (10) 18-5-

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 2488 dated 21-3-93 received at the Dewan's Office from Eré Gowda of Kallahalli, Chikmagalur Taluk, praying for his restoration to the off of Patel of the said village,

0083-90-3

is forwarded, together with its four enclosures, to the Deputy Commissioner, Kadur Distt, for report on the circumstances of the Petitioner's case.

2. The petition, with its enclosures, should be returned.

By Order,

Draft

15/5

Chief Secretary.

BANGALORE,
May 1893.

M. G. C. P. Bangalore.—21-11-92—3,000.

The Kadur D.C. No 467 of 25/2/91
Sub'd to Chief Secy on 2/3/91
not available

9

(General Serial No. 30) (3) 13909

1893 Pet: 572

From

The Deputy Commissioner
Kadur District

To

The Chief Secretary to the Dewan
of Mysore.

LR83-90-4

Dated 25th May 1893

Despatched 25th

Received

Enclosures No. 7

General No. 623 / No. 1892-93

Reporting on the petition of Eré Gowda of Kallahalli, Chikmagalur Taluk, praying for his restoration to the office of Patel of the said village.

Petn Branch
MSN
29/5

General Records

To be put up -
1. Kadur D.C. Com'r letter No 467 of 25-2-91 and the orders if any passed thereon
2. Notes of His Highness' Tour in 1890-91
3. Instances in which the office is continued in the case of Dakhle villages

RR

M. G. C. P. Bangalore.—27-1-93.—5,000.

1890-91 [illegible]

14 12 93

10

Deputy Commissioner's office
Kadur District (8)

Dated, Chikmagalur, 25th May 1893

No. 623
Enc: 7

(5)

From

The Deputy Commissioner
Kadur District.

To

The Chief Secretary to the Government
of Mysore, Bangalore.

Sir,

In reply to your Memo No 1471, dated 15th Instant, forwarding for report a petition from one Eregowda of the Kalhalli Village, in the Chikmagalur Taluk, praying for his restoration to the office of the Patelli of the said village, I have the honor to State that Kalhalli, of which the petitioner Ere-gowda was formerly the hakdar Patel, was at the Survey settlement made a dakla village & attached to the Asli Village of Mala-loor, the Patel of the latter being recognized since the Survey Settlement as in all other cases

as the sole Patel of both the Asli and Dakla villages.

On receipt of similar petitions from certain Patels of Dakla Villages, praying for the revival of their claims which were ignored on the introduction of the Survey settlement, Col: Campbell addressed a letter to Government (Vide letter No 467 dated 25th February 1891, Copy enclosed for ready reference), but no orders have yet been received on the subject.

The enclosures of the Memo under reply, together with the petitioner's petitions noted in the margin, are herewith returned.

1.	Dated 20th February 1891
2.	" 1st April 1891
3.	" 6th May 1891
4.	" 28th May 1891
5.	" 5th March 1893

I have the honor to be
Sir
Your most obedient servant
H H Sparke
Asst. Deputy Commissioner
Kadur District

Deputy Commissioner's office
Kadur District. (91)

No. 467

Dated, Chikmagalur 25th February/91.

(15)
a

From

The Deputy Commissioner
Kadur District.

To

The Chief Secretary to the Government
of Mysore. Bangalore.

Sir,

I have the honor to state that several petitions, for restorations to their appointments, have been received from men who were once Patels but were removed from the office after the Survey settlement on the ground that only Asli villages should have Patels

These petitions have originated on the personal orders of the Dewan during the recent tour of His Highness the Maharaja, promising the parties to give due consideration to the matter.

The instructions of Government for the disposal of these petitions are

awaited.

13

(Signed) J. A. Campbell Col:

Deputy Commissioner

Kadur District

"Copy"

[signature]

Am. S. Deputy Commissioner

Kadur District

MISSOURI STATE OFFICE
RECEIVED 2488R
DATE 24-3-93

13-2-94

(2)

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

18 (5) ~~(8)~~

Proceedings of the Govt of H. H. the Maharaja of Mysore.

L. R. 83-90-5

Read:—

Letter No 623, dated 25th May 1893 from the Deputy Commissioner of Kadur, reporting on ~~the~~ petition (No 2488 of 1892-93) from Ire Gowda of Kallahalli, Chikmagalur Taluk, praying for his restoration to the Pateli of Kallahalli, which was amalgamated with Malalur at the Survey Settlement.

No 13424/1300 & 8/13 - 2 - 94.

Order thereon.

The Deputy Commissioner is requested to dispose of the case, with reference to Government Proceedings dated 3rd January 1894, No R 10267-75/1055.

Draft (Councilor) Chief Secretary

5/2/94

To The Deputy Commissioner Kadur District, with the petitions recd with his letter.

S.V. 30/1

Drafts for appl

2 drafts subd for approval

No. 2488

19

~~(6)~~ 13-2-94

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT

(4) 8/13 February 1894 (7)

Endorsement granted to Ire Gouda of Kallahalli attached to Malalur, Chikmagalur Taluk

in reply to his Petition Registered No. 2488 dated 21 . 3 . 93 praying for ~~the~~ restoration to him of the Pateli of Kallahalli

---

Petitioner is ~~informed that~~ referred to the Deputy Commr to whom orders have been issued ~~sent~~ ~~in~~ in the matter

L.R. 83-90-6

The enclosures are returned

Cl 5/2/94

"By Order"

Draft (Council order)

Chief Secretary.

S.V. 30/1

Mysore Govt. Central Press, Ban -9-2-93—2000.

References
U.J. 19/6
Arak
Refers put up.
20/4

20
L.R. 83-90-7

Gen. Serial No. 32.]

1895 (6)

No. 2668

Name of Petitioner. Eerisowda - Patel of by Mr. Sanjadaria Pleader at Bangalore

Village. Kalloohalli

Taluk. Chickamogalur

District. Kadur

Date of Arzi.

Date of Receipt. 10 - 4 - 95

Date of Disposal.

No. of Enclosures. 1

Submitted to Rev. Councillor
Cl 1, Addl Rules

Stamp sufficient -
Appeal is 3 days out of time, Computing limitation from date of Dy Commr's endorsement. But Petr says that he received it "towards the latter part of January", in which case appeal would be in time.

U.J. 24/4

Post for hearing issue notices
UMD
26/4/95

Entered
MM

Drafted
SKR 30/4

ABSTRACT.

Appeals against the order of the Dy. Comr. Kadur District No. 122 of 7th Jan 1895 regarding the Patili of Kalloohalli

The grounds urged are in English.
The order appealed against is as follows.

Read your petition of 27th August last also its previous one together with the Amildar report No 377 of 22/30-10-94.

You apply for the restoration of your alleged Patili Village called Kalluhalli, a Dakale Village, which was during Survey Settlement amalgamated with the Ashi Village of Malalur.

On the 20th February 1891 you submitted a petition about this same subject - on this foot. was addressed to Proceedings

No. 13424/1300 of 8/13 Feby. 94 having been received by Govt. directing to dispose of your case in pursuance of Govt. Pro. No. 10267-75/R. 1055 of 3-1-94 Enquiry was made.

It is understood that the duties of Patel of Malalur are now being conducted by Devegowda son of Doddegowda and Timmegowda Gumasta of Chennamma and that the village of Kallahalli has fallen to the share of Devegowda.

It is expressly stated in para 4 of the Pro. of Govt. No. 10267-75/R. 1055 of 3-1-94 that the order contained therein (directing that persons who were previously conducting the duties of Patel of Dhakla villages which were during survey settlement amalgamated with Asli villages and after them their Varasdars should be allowed the opportunity of conducting the duties of Patels of such villages) should be given effect to only in cases where appeals are preferred to Govt. regarding the appointment of Patels who are now conducting the duties and where such appeals are pending disposal and also when filling up the said offices as they fall vacant but not immediately.

You neither submitted a Takrar petition either at the time when order was issued to Taluk from this office that Devegowda should conduct the duties connected with the villages of Kallahalli - Dhakla village of Malalur - and other villages or at the time when order was issued appointing Devegowda and Chennamma formally - nor was any appeal filed by you before to Govt. which is pending disposal. Moreover the Patel of this village is not vacant now. Under these circumstances your request cannot be complied with at present. You may apply when the Patel of Malalur falls vacant. Know this.

W/a.

Pet. 1605 A.S. 156 of 94-95 2

(2)

22

MYSORE DEWAN'S OFFICE,

(7) PETITION DEPARTMENT. 17/5

OFFICIAL MEMORANDUM.

The accompanying Petition No. 2668

dated ~~~~~~~~~~~~~~~~ received at the

Dewan's Office from Eregowda of Kalloohalli, Chickmaglur Taluk, appealing against the Dy. Commr's order No 122 dated 7th January 1895 regarding the Patili of the village

is forwarded, together with its one

enclosure, to the Dy. Commr. Kadur District for submission of the entire proceedings connected with ~~together with a report of the facts of~~ the case ~~and on the points urged in the petition~~

2. The petition with enclosure should be returned

L.R. 83-90-8

By Order,

Draft 4/5/95

BANGALORE, 26/4/1895 Chief Secretary

17/5 Res order

SKR 30/4

M.G.C.P.B.—19-2-[illegible]

23

Gen. Serial No. 31.] (8)

1895

OFFICE OF THE DEWAN OF MYSORE
16319
29. MAY 1895
Pet: 681

Posted to 25th June -
Notices to both parties - (vide order recorded on Pet 2668)

30/5

Notices prepared
1/s.

From The Deputy Commr
Kadur District

To
The Chief Secretary to the Government
~~Dewan~~ of Mysore.

L.R. 83-90-9

Dated 22nd
Despatched 27th May
Received

Enclosures—No. 2 & 2 files of Ver: Papers

General No. 725 } 1894-95
No.

In reply to his Official memo no Pet/1605 dated 26th April/95 / 17th May/95 calling for records on one Eregowda's petition, appealing against the undersigned's orders of the 7th January 1895 regarding the Pateli of the Kallhalli Dakla village, has the honor to submit the entire proceedings ending with the Chikmagalur Amildar's no 700 dated 15th January 1895, together with the appeal petition and its enclosure.

H. Wright

For Deputy Commr
Kadur District

M.S.

Petn Br. [illegible]
29/5/95

Recd 10/4/95
2668. Enc 1.
8-8-95

Presented by Mr Gangadharaiah Pleader
10/4/95

(3)

COURT FEE
10-4-95
Ex. 273.1
TWO RUPEES

Two Rupees stamp affd.

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT.
REG'D. No. 2668 R
DATE 10-4-95

Before the Dewan in Council
A.S. 156 of 94-95 to H.H. the Maharajah of Mysore.

Rev: Mis: appeal No. of 1894-95

Appellant — Gerézawda Potél of Kalloohully, Chikmagalur Taluk, Kadur District.

The above named appellant begs to prefer this appeal against the order of the Deputy Commissioner Kadur District, dy 7th January/95, which reached the appellant about the latter part of January/95, for the following among other reasons, and humbly prays that the order of the Dy: Comr above referred to may be cancelled and the appellant restored to his office of Potél —

1. The appellant and his ancestors were the Hukkadar Potéls of Kalloohully and held this office up to 1885. Dayavézawda referred

referred to in the order of the Dy: Comp^r has no right to this Potelship —

2 - That upon the appellant's former appeal, Government was pleased to direct the Deputy Comp^r to provide the appellant with the office of Potel —

3. The Deputy Comp^r failed to give proper consideration to the Govt: proceedings — Ex^o. 10267.75 / R 1055 dy 3^d of January 1894.

4 - The order of the Deputy Comp^r is directly opposed to the spirit of the orders of Government —

[signature]

Notice sent that the case would be heard at Bangalore

To

Ad 24. 6. 95

26

Bangalore
20. 6. 95

The Under Secretary to the Dewan
to H. H. the Maharaja of Mysore.

Sir,

I was served with a notice, yesterday, on behalf of appellant Eregowda of Malahere, Chikmagalore Taluk in Revenue appeal No. 156 of 1894-95 fixing the date of the hearing of the appeal on the 25th instant. My client is in a village and I have no time to communicate with him and obtain further instructions to prepare myself to attend the hearing at Mysore — I therefore beg that you will kindly adjourn the hearing of the said appeal to some date in the middle of the next month —

I beg to remain
Sir
your most obdt servant.
C-S-1. Gangadharam
Counsel for the appellant.

Bangalore 5/4/95

Progs. of the Govt. of Mysore.

28 (9)

Read:- a. S. no: 156 of 94-95

Petition no: 2668 ~~dated~~ undated, presented by Ere Gowda of Kallohalli a village attached at the Survey Settlement to Malalur. the Chickmaglur Taluk, appealing against the order of the Dy. Commr. ~~order~~ of Kadur No: 122 dated 7th January 1895 stating that Petr cannot be permitted now to do the duties of ~~regarding~~ the Pateli ~~office~~ of the Kalluhalli village under the orders of Govt. No. 10267-75-R 1055 dated 3d January 1894.

2. The records connected with the case received with docket No: 725 dated ~~Bangalore Dy. Commr's letter~~ 22d May 1895 from the Dy. Commr. - Kadur District.

L.R. 83-90-10.

Order thereon:- No. 478 / P.F. 11-95 & 11.7.95

The order passed by the Dy. Commr. in this case is correct. Govt. order no. 10267-75 / R 1055 dated Bangalore 3d January 1894 introduced a change in the established state of things and para 4 of the said order expressly directed ~~expressly directed~~ that effect should be given with in future and in pending cases.

From

The Chief Secretary to the Government of Mysore.

To

Dated

Despatched

Received

General No.
No.

Enclosure No.

24

cases. The Petitioner w
was the Patel of a Muzz
village till 1884 lost it
about that time in con-
sequence of that hamlet
having been added on
to another village in
accordance with the
rules then in force.
In 1890 or 1891 he agitated
the matter and at the time
when the order of 1894 was
passed there was no case
pending. No retrospective
effect could be given to
the order of 1894 as such
a course is expressly
~~indicated~~ interdicted
by its terms and the
Petitioner wants to give
the order such an effect.
His prayer is therefore
clearly inadmissible
and is rejected. The
Petitioner's case should
be taken into consider-
ation when the Patel
of Malalur village falls
vacant and a fresh
appointment will have
to be made.

2. The records are return.

11-7-95

Draft.
Order
To The Dy. Comm. Kadur Dt.
SKR 9/7

Revenue Secy.

ನಂಬರ್
2668

P (10)

L. R. 83-90-11

ಶ್ರೀಮಂತರು ದಿವಾನ್ ಕಚೇರಿಯಿಂದ

ಚಿತ್ರದುರ್ಗ ಮಗಳೂರು ತಾಲ್ಲೂಕು ಕಲ್ಲಹಳ್ಳಿಯಲ್ಲಿರುವ
ಪಟ್ಟೇಲನಿಗೆ ಬಾಕಿಗಾಗಿ ಇಂಜಾಯಿಷ್ಟು ಶ್ರೀಯುತ —

1894 ನೇ ಇಸವಿ ಜನವರಿ 3 ನೇ ತಾರೀಖಿನ 10267-75/R. 1053 ನೇ
ನಂಬರ್ ಗವರ್ನಮೆಂಟಿನವರ ಶ್ರೀಮಂತ್ರ ಪ್ರಕಾರ ಕಲ್ಲಹಳ್ಳಿಯ
ಪಟ್ಟೇಲ ಕೆಲಸವನ್ನು ಪ್ರಕೃತ ಕಚೇರಿಯಲ್ಲಿ ನೋಡುವಂತೆ ಅರ್ಜಿದಾರನಿಗೆ
ಅಪ್ಪಣೆ ಕೊಡುವದಕ್ಕಾಗುವದಿಲ್ಲವೆಂದು ಕೆ. ಡಬ್ಲ್ಯೂ. ಡಿಸ್ಟ್ರಿಕ್ಟ್
ಡೆಪ್ಯೂಟಿ ಕಮಿಷನರ್‌ರವರು ಮಾಡಿದ 7-1-95 ನೇ ಮುಖ್ಯಂ 122 ನೇ
ನಂಬರ್ ಶ್ರೀಮನ್ಮೇಲೆ ಅರ್ಜಿದಾರ ಬಳಿದುಕೊಂಡಿ 2668
ನೇ ನಂಬರ್ ಬಗ್ಗೆ ತಾರೀಖಿನ ಅಪೀಲ್ ಅರ್ಜಿಯನ್ನು ಅದಕ್ಕೆ
ಸಂಬಂಧಪಟ್ಟ ಕಾಗದಗಳನ್ನು ಪರಾಂಬರಿಸಿದ್ದಾಯಿತು —
ಶೇಷಗಿರಿರಾವ್ ತಕ್ಕಂ ಪಕಿ ಆಯಾದಾಗಿದೆ ಅರ್ಜಿದಾರನ
~~ಅರ್ಜಿದಾರನ ಅರ್ಜಿಯನ್ನು ಅಂಗೀಕರಿಸುವದು~~
ಅರ್ಜಿ ಅರ್ಜಿಯ ತಿರಸ್ಕರಿಸಿದೆ
~~ಗಿಳುವದಿಲ್ಲವೆಂದು ತಿರಸ್ಕರಿಸಲ್ಪಟ್ಟಿದೆ~~ — ಮಳಿಯಾಳ
ಗ್ರಾಮದ ಪಟ್ಟೇಲ ಖಾಲಿ ಬಿದ್ದ ಹೇಗೆ ಇನಾಮನ್ನು ಮೊಕದ್ದಮೆ

ಅರ್ಜಿದಾರನ ಅರ್ಜಿ ~~ಅಂಗೀಕರಿಸುವ~~ ಗವರ್ನಮೆಂಟ್ ಪ್ರಾಂತ್ಯದಲ್ಲಿ 1 ಹಿಂದೆ ಕಡೆದ ವಿಷಯ ಗಳಿಗೆ ಅನ್ವಯವಾದ ತಕ್ಕದ್ದಲ್ಲ. ಆದ್ದರಿಂದ

మండువ సంబంధ్యాదల్లి అర్జీదారన అభిప్రాయన్ను

పర్యాలోచిసువంతే డిప్యూటి కమిషనరవరిగి బరిసిరుత్తే

వే- అర్జీమలభూపన్ను వాపస్ మండిదే —

బళ్ళారి 3-8-95

By Order

Draft — HBh
3/8
Under Secretary

అర్జీదారన కడి కౌన్సల్ మోసి-ఎస్-వి-గంగాధర్యేయ్య

నవరిగే —

ఇం-రవానీ —

8-8-95